

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PAUL J. McNALLY, as he is TRUSTEE,  
MASSACHUSETTS LABORERS' HEALTH AND  
WELFARE FUND and NEW ENGLAND LABORERS'  
TRAINING TRUST FUND; JAMES MERLONI, JR.,  
as he is TRUSTEE, MASSACHUSETTS LABORERS'  
PENSION FUND and MASSACHUSETTS LEGAL  
SERVICES FUND; MARTIN F. WALSH, as he is  
TRUSTEE, MASSACHUSETTS LABORERS'  
ANNUITY FUND,

Plaintiffs

vs.

AG ASBESTOS, INC.,

Defendant

and

FLEET SMALL BUSINESS SERVICES,  
Trustee

C.A. No. 04-12639 RWZ

**FINDING AND ORDER OF EX PARTE**  
**ATTACHMENT BY TRUSTEE PROCESS**

Upon consideration of plaintiffs' Ex Parte Motion for an Order of Attachment by Trustee

Process, the Memorandum and Affidavits in support thereof, this Court hereby finds that

plaintiffs are likely to recover judgment, including interest, liquidated damages, fees and costs, in

an amount equal to or greater than the amount of the trustee process approved herein, that there is

no liability insurance known or reasonably believed to be available, and that there is immediate

danger that the defendants will dissipate or transfer the funds to be attached by trustee process.

It is, therefore, ordered that the assets of AG held by the Fleet Small Business Services, Trustee, be attached in the amount of \$184,645.14<sup>344.27</sup> subject to all applicable exemptions and limitations provided by law.

Dated: January 3, 2005

Rya W. Zobel  
Honorable Rya W. Zobel  
United States District Judge